

1 THE HONORABLE RICARDO S. MARTINEZ  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA, ) No. CR20-99 RSM  
11 Plaintiff, )  
12 v. ) ORDER ON STIPULATED MOTION TO  
13 JUSTINE MOSES, ) CONTINUE TRIAL  
14 Defendants. )  
15 \_\_\_\_\_)

16 This matter comes before the Court on the motion of the government and Ms. Moses to  
17 continue the trial in this matter, and to set a new pretrial motion cutoff consistent with that new  
18 trial date. Having considered the stipulated motion of the parties, the Court finds and rules as  
follows:

19 The facts supporting continuing the trial and excluding the consequent delay are set  
forth in the Stipulated Motion to Continue, incorporated by this reference.

20 THIS COURT FINDS, pursuant to Title 18, United States Code, Section  
21 3161(h)(7)(B)(i) and (ii) that the charges are serious and carry potential substantial  
22 imprisonment penalties, and this case is sufficiently complex, due to the volume of discovery  
23 provided and to be provided, to include numerous recordings, that it is unreasonable to expect  
24 adequate preparation by the parties for pretrial proceedings or for the trial itself by the current  
25 trial date, or for the immediate future.

26 THE COURT THEREFORE FINDS that failure to grant the continuance in this case  
would result in a miscarriage of justice, because failing to continue this matter for a

1 considerable period of time would deny counsel for the parties the reasonable time necessary  
2 for effective preparation, due to defense counsel's need for more time to review the discovery  
3 and evidence produced, and still to be produced, and to consider possible defenses and  
motions, taking into account the exercise of due diligence.

4 THE COURT FINDS, in light of these factors, that it is unlikely that the parties can be  
5 reasonably ready to try this matter before March 8, 2021 at the earliest.

6 THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(6)  
7 and (7), that this is a reasonable period of delay in that the majority of the defendants have  
indicated they require more time to prepare for trial. The Court finds that given the complexity  
8 of the case, and the volume of discovery produced, and still to be produced, that more time is,  
9 in fact, necessary.

10 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code,  
11 Sections 3161(h)(6) and 3161(h)(7), the ends of justice will best be served by a continuance,  
12 and that they outweigh the interests of the public and the defendant in a speedy trial.

13 THIS COURT FURTHER FINDS that all of the additional time requested between the  
14 filing of this motion and the new trial date of March 8, 2021, is necessary to provide counsel  
for the defendant the reasonable time necessary to prepare for trial.

15 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be continued  
16 as to the Defendant in the case captioned above until March 8, 2021, at 9:00 a.m.

17 IT IS HEREBY ORDERED, that pretrial motions will be filed no later than January 21,  
2021.

18 IT IS HEREBY ORDERED that the defendant shall file a speedy trial waiver no later  
than September 18, 2020, to the extent she has not already done so.

19 IT IS FURTHER ORDERED that the time between the date the motion to continue was  
20 filed and the new trial date is excluded in computing the time within which a trial must be held  
21 pursuant to Title 18, United States Code, Section 3161, et seq.

22 DATED this 11<sup>th</sup> day of September, 2020.

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RICARDO S. MARTINEZ

1 CHIEF UNITED STATES DISTRICT  
2 JUDGE  
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Presented by:

/s/Christopher Carney

CHRISTOPHER CARNEY

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